

REMARKS/ARGUMENTS

Claims 1-5 and 11-30 are active. Claims 6-10 have been cancelled. Claims 11-17 have been allowed. Claims 18-19 have been amended for clarity and consistency with U.S. practice. Claims 21-30 find support in the disclosure as follows: Claims 21-22 (claims 2 and 3, page 2, last full paragraph, *ff.*), Claims 23-26 (page 6, line 5, *ff.*), claim 27 (page 1, second paragraph), and claims 28-30 (page 2, lines 12-13, page 3, lines 1-10, page 6, last paragraph). Accordingly, the Applicants do not believe that any new matter has been introduced. Favorable consideration of this amendment and allowance of this case are respectfully requested.

Rejection—35 U.S.C. §112, second paragraph

Claims 6-10 and 18-20 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is moot in view of the amendments above.

Rejection—35 U.S.C. §101

Claims 6-10 were rejected under 35 U.S.C. 101, as being directed to non-statutory subject matter. This rejection is moot in view of cancellation of these claims.

Rejection—35 U.S.C. §102(b)

Claims 1-5 were rejected under 35 U.S.C. 102(b) as being anticipated by Shukolyukov, et al., Mitok. Mol. Mekh. Ferment. Reackts, pp. 189-93. This rejection is moot in view of the cancellation of the prior claims or the amendments above. Claim 1 requires 1,000 to 4,000 mg/dL glucose, while the medium of Shukolyukov contains 30 mg/ml (3 g/dL) glucose. Accordingly, this rejection may now be withdrawn.

Conclusion

In view of the amendments and remarks above, the Applicants respectfully submit that this application is now in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

A handwritten signature in dark ink, appearing to read "Thomas M. Cunningham", is written over a horizontal line.

Thomas M. Cunningham, Ph.D.  
Registration No. 45,394

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)